

REMARKS

In accordance with the foregoing, claim 18 has been added. New claim 18 is supported in by the specification on page 10, lines 20-22 and in FIG. 1. Therefore, no new matter is being presented, and approval and entry are respectfully requested.

Claims 7-11, 13-16 and 18 are pending and under consideration. Reconsideration is respectfully requested.

In the Office Action, starting at page 2, numbered paragraph 3, claims 7-11 and 13-15 were rejected under 35 U.S.C. §102 in view of Fijolek et al. (U.S. Patent 6,223,222). This rejection is traversed and reconsideration is requested.

Independent claim 7 recites "a database, connected to the service provider computer, to determine which of the predetermined quality of service features are currently one of permissible and required for the user computer" at lines 8-10. Nothing has been cited in Fijolek et al. that anticipates a database as recited in claim 7. Therefore, it is submitted that independent claim 7 and dependent claims 8-11 and 13-15, which depend therefrom and add further patentable distinctions, are patentably distinguishable from Fijolek.

In item 12 on pages 5 and 6 of the Office Action, claim 16 was rejected under 35 USC § 103(a) as unpatentable over Fijolek et al. and Loukainov. Claim 16 depends on claim 7 and it is submitted that Fijoleket al. and Loukainov, individually or in combination, fail to address the deficiencies identified above with respect to Fijoleket al. Therefore, for the reasons discussed above, it is submitted that claim 16 is patentably distinguishable over Fijolek et al. and Loukainov.

New claim 18 recites "storing quality of service features for a user connecting to the network via an access unit, determined in advance of connecting to the network, in a database operated by a communication service provider;" at lines 2-4. In the Response to Arguments, the Office Action argued that FIG. 18 and FIG. 19, reference numerals 340 and 348, of Fijolek et al. taught "the use of QoS, only after it has been established by the QoS server" (page 7, lines 1-2). Nothing has been cited in either Fijolek et al. or Loukainov that teaches or suggests "storing quality of service features ... determined in advance of connecting to the network ... in a database operated by a communication service provider" as recited in claim 18.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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